

IN THE FIFTH JUDICIAL DISTRICT COURT, IN AND FOR IRON COUNTY,  
STATE OF UTAH

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IN THE MATTER OF THE GENERAL )  
DETERMINATION OF ALL THE RIGHTS )  
TO THE USE OF WATER, BOTH ) P E T I T I O N  
SURFACE AND UNDERGROUND, )  
WITHIN THE DRAINAGE AREA OF )  
THE ESCALANTE VALLEY IN UTAH )  
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The petition of Wayne D. Criddle, the duly appointed, qualified and acting State Engineer of the State of Utah, respectfully represents and shows unto this Honorable Court:

1. That the above entitled cause is a proceeding to determine all rights to the use of water within the drainage area of the Escalante Valley in Utah; and that a Proposed Determination of Water Rights has been submitted in this cause.

2. That, in accord with the said general determination proceeding and pursuant to the statute as to consultation with the water users, water commissioners have been appointed and their salaries and the other expenses of distribution have been determined and fixed.

3. That the persons hereinafter named are each the owner of rights to the use of water as set out in said Proposed Determination, and each of them have failed, neglected and refused to pay the water assessment levied against them as their proportionate share of the expense of the said distribution system; and that the name, address and amount of delinquency of each said water user is as follows:

| <u>Name</u>                        | <u>Address</u>     | <u>Total Due</u> |
|------------------------------------|--------------------|------------------|
| Terel Brown                        | Milford, Utah      | \$ 17.26         |
| Clauss Marshall                    | Milford, Utah      | 54.00            |
| George Mayer                       | Milford, Utah      | 39.01            |
| Carl Elmer                         | Milford, Utah      | 42.04            |
| Leo Mayer                          | Milford, Utah      | 22.45            |
| Milford Farms<br>c/o Glenn Rollins | Milford, Utah      | 257.55           |
| Dan Rollins                        | Milford, Utah      | 32.81            |
| Kenley Taylor                      | Milford, Utah      | 15.17            |
| Adams Brothers                     | Enterprise, Utah   | 29.93            |
| Marshall Austin                    | Beryl, Utah        | 17.99            |
| Harold W. Monroe                   | Perris, California | 6.64             |

|                         |                  |         |
|-------------------------|------------------|---------|
| Joseph Del Vecchio      | Beryl, Utah      | \$ 9.58 |
| Floyd Ence              | Ivins, Utah      | 42.60   |
| George S. Holt          | Beryl, Utah      | 27.54   |
| Leland Huntsman         | Enterprise, Utah | 17.06   |
| Melvin Langford         | Modena, Utah     | 30.84   |
| Norman Laub             | Beryl, Utah      | 48.89   |
| Austin D. Moyle         | Beryl, Utah      | 103.39  |
| Lane Moyle              | Beryl, Utah      | 31.99   |
| Vern Pickerell          | Newcastle, Utah  | 279.60  |
| Charles Twitchell       | Beryl, Utah      | 23.25   |
| Howard Holt & Alma Holt | Enterprise, Utah | 49.89   |
| Heber Staheli           | Enterprise, Utah | 54.78   |

WHEREFORE, the State Engineer respectfully prays that this Court issue its order directing each of the parties above named to appear and show cause why each of them should not be forbidden the use of any water until the assessments against them have been paid in full, and for such other and further relief as the Court may deem just and equitable.

WALTER L. BUDGE  
Attorney General

/s/ ROBERT B. PORTER  
ROBERT B. PORTER  
Deputy Attorney General

Wayne D. Criddle  
State Engineer of Utah